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04772 U.S. PTO

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PTO/SB/05 (01-04)

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UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	298-236
First Inventor	Hormann
Title	GATE OR DOOR DRIVE
Express Mail Label No.	EL995745386US

U.S. PTO

22857 U.S. PTO
210791416APPLICATION ELEMENTS
See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 12]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 9]
5. Oath or Declaration [Total Sheets]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. Paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement Power of (when there is an assignee) Attorney
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other: **CHECK FOR \$385.00**

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP) of prior application No.:

Prior application information:

Examiner _____

Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number:	28249		OR	<input type="checkbox"/> Correspondence address below
Name	Rocco S. Barrese, Esq.			
Address	DILWORTH & BARRESE, LLP 333 Earle Ovington Boulevard			
City	Uniondale	State	New York	Zip Code
Country	USA	Telephone	(516) 228-8484	Fax
Name (Print/Type)	GEORGE M. KAPLAN	Registration No. (Attorney/Agent)	28,375	
Signature			Date	March 1, 2004

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on the date below in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL995745386US addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.Dated: March 1, 2004

GEORGE M. KAPLAN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

UTILITY APPLICATION DATA SHEET UNDER 37 C.F.R. §1.76

Transmitted herewith for filing is the patent application of

Inventor(s): Michael Hörmann

For: GATE OR DOOR DRIVE HOUSING

Enclosed are:

- [] 8 page(s) of specification
- [] 1 page(s) of abstract
- [] 3 page(s) of claims (1-12)
- [] 9 sheet(s) of drawings [X] formal [] informal (Figs. 1-9)
- [] 8 page(s) of preliminary amendment
- [] Information Disclosure Statement

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date March 1, 2004 as "Express Mail Post Office to Addressee" Mail Label Number EV995745386US addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: March 1, 2004



George M. Kaplan

This application claims the benefit under 35 U.S.C. §119(e) of U.S. Provisional Application(s) No(s).:

APPLICATION NO(S).:
1

FILING DATE

Certified copy of application

<u>Country</u>	<u>Appln. No.</u>	<u>Filed</u>
<u>GERMANY</u>	<u>UM 203 03 315.9</u>	<u>February 28, 2003</u>

from which priority under Title 35 United States Code, § 119 is claimed

[] is enclosed.

[] will follow.

CALCULATION OF UTILITY APPLICATION FEE *

For	Number Filed	Number Extra	Rate	Basic Fee \$770.00
TOTAL CLAIMS **	20-20	9	x 18 =	\$0.00
INDEPENDENT CLAIMS	1-3	0	x 86 =	\$0.00
[] Multiple Dep. Claim			290	\$0.00
				TOTAL \$770.00

Small Entity Status is claimed Under 37 C.F.R. § 1.27. Reduced fees under 37 C.F.R. § 1.9(f) (50% of total) paid herewith \$385.00.

The amount of \$40.00 for recording the attached Assignment is enclosed as a separate check.

Check in the amount of \$385.00 to cover the filing fee(s) is attached.

* Based upon accompanying Preliminary Amendment

** includes all independent and single dependent claims and all claims referred to in multiple dependent claims. See 37 C.F.R. § 1.75(c).